

UNITED STATES PATENT AND TRADEMARK OFFICE

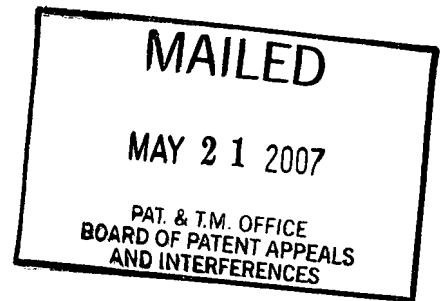
---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

Ex parte TOSHIKI MORI,  
MINORU KURIKI,  
YASUYUKI JINBO,  
KIYOTO NAGANUMA,  
and MASAO AIHARA

---



Application No. 09/487,265

---

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

---

This application was received electronically at the Board of Patent Appeals and Interferences on April 30, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:


On December 27, 2006, Appellants filed an Appeal Brief. A review of the file reveals that there is no indication that the Appeal Brief has been considered. Furthermore, Appellants filed a Reply Brief on January 3, 2007. Appropriate action is required.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner:

- 1) to consider the Appeal Brief filed on December 27, 2006 and the Reply Brief filed on January 3, 2007;
- 2) if necessary, vacate the examiner's answer mailed March 13, 2007, and issue a revised examiner's answer; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
PATRICK J. NOLAN  
Deputy Chief Appeals Administrator  
(571) 272-9797

PJN/dal

cc: STAAS & HALSEY, LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005